STATE OF WEST VIRGINIA

PRELIMINARY PERFORMANCE REVIEW OF

CONTRACTOR LICENSING BOARD

FOLLOW-UP ON COMMITTEE
QUESTIONS

Performance Evaluation and Research Division Building 5, Room 751 State Capitol Complex

CHARLESTON, WEST VIRGINIA 25305

(304) 347-4890

JOINT COMMITTEE ON GOVERNMENT OPERATIONS

House of Delegates

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Senate

Keith Wagner, Chair Edwin J. Bowman, Vice Chair Larry Wiedebusch Sarah Minear John Yoder

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Antonio E. Jones, Ph.D., Director Performance Evaluation and Research Division

Harvey Burke, Research Manager Michael Midkiff, Senior Research Analyst Chris Nuckols, Research Analyst

July 1996

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WEST VIRGINIA LEGISLATURE

Performance Evaluation and Research Division

Building 5, Room 751A 1900 Kanawha Boulevard, East Charleston, West Virginia 25305-0592 (304) 347-4890 (304) 347-4889 FAX



Antonio E. Jones, Ph.D. Director

July 10, 1996

The Honorable A. Keith Wagner State Senate Box 446 Iaeger, West Virginia 24844

Delegate Joe Martin, Chairman Room 213 East Wing State Capitol Charleston, West Virginia 25305

Gentlemen:

During the June interim meeting, the Joint Committee on Government Operations made several requests of PERD for information regarding the Preliminary Performance Review of the Contractor Licensing Board. We are providing the following information in response:

- 1. How often did the Contractor Licensing Board meet and was there a quorum present at its meetings as required by the code?
 - PERD determined that the Board met 11 times in FY '92, 9 times in FY '93, 5 times in FY '94, 10 times in FY '95, and 8 times in FY '96. There was a quorum for all meetings held except one; the Board is only required by code to meet once a year. (See Attachment A for more detailed analysis.)
- 2. Was the General contractor license intended to be an umbrella license and what are the differences among the various types of licenses (general, HVAC, etc.)?
 - Material provided by the Board indicates that the General contractors license was not intended to be an umbrella license. The definitions provided clearly define the requirements of a General contractors license and the restrictions of the license. Meeting minutes demonstrate that discussions were held before the Board concerning this issue. There was some confusion about the intent of the General Contractors

Joint Committee on Government and Fina
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classification and some contractors apparently took the test thinking that they would be able to do residential work and commercial work. The Board took this problem into consideration and voted to grant both licenses to these persons. (Attachment B contains a short explanation of the intent of a General Contractors License, copies of Board Meeting minutes discussing changes to rules regarding General Contractors licensure and a page of definitions of the various classifications of Contractors licenses)

3. How long does it take for a person to become licensed?

A license can be issued within two or three days if an individual passes the required examination. A lot depends on the individual and how proactive they are. Contractors must be registered with other agencies such as Workers Compensation, the Tax Department and the Secretary of State's Office before they can be issued a license. (Attachment C provides a short explanation of the length of time it takes to obtain a license. Also attached are computer printouts demonstrating when an applicant applied and when an actual license was issued)

4. Is the 60-day grace period to become licensed given to violators of the law excessive?

The issue of the Contractor Licensing Board rescinding Cease and Desist (C&D) orders issued to unlicensed contractors if they become licensed is mandated by title 28 of the Legislative Rules. The rules do not specifically state; however, the C&D must be removed if the person is licensed within 60 days, but that, "The order shall be withdrawn upon issuance of a license to such person". In addition, the rules provide that the Board may impose a penalty of not less than \$200 nor more than \$1000 upon a person engaging in a contracting business in this state without a valid license. Nothing specifically mandates that fines are removed if a person is licensed within sixty days. However, the rules do state that a person adversely affected by any action of the Board may appeal to the Board within sixty days and that the Board shall hear the appeal within sixty days of receipt of notice of appeal. It appears that the Board's decision of rescinding fines if the person is licensed within sixty days is of its own discretion and within its power.

5. How much revenue is generated by the program annually versus how much revenue needs to be expended to run the program?

Table one Below details the receipts and expenditures of the Board since its inception.

Table 1
Contractor License Board Receipts and Expenditures

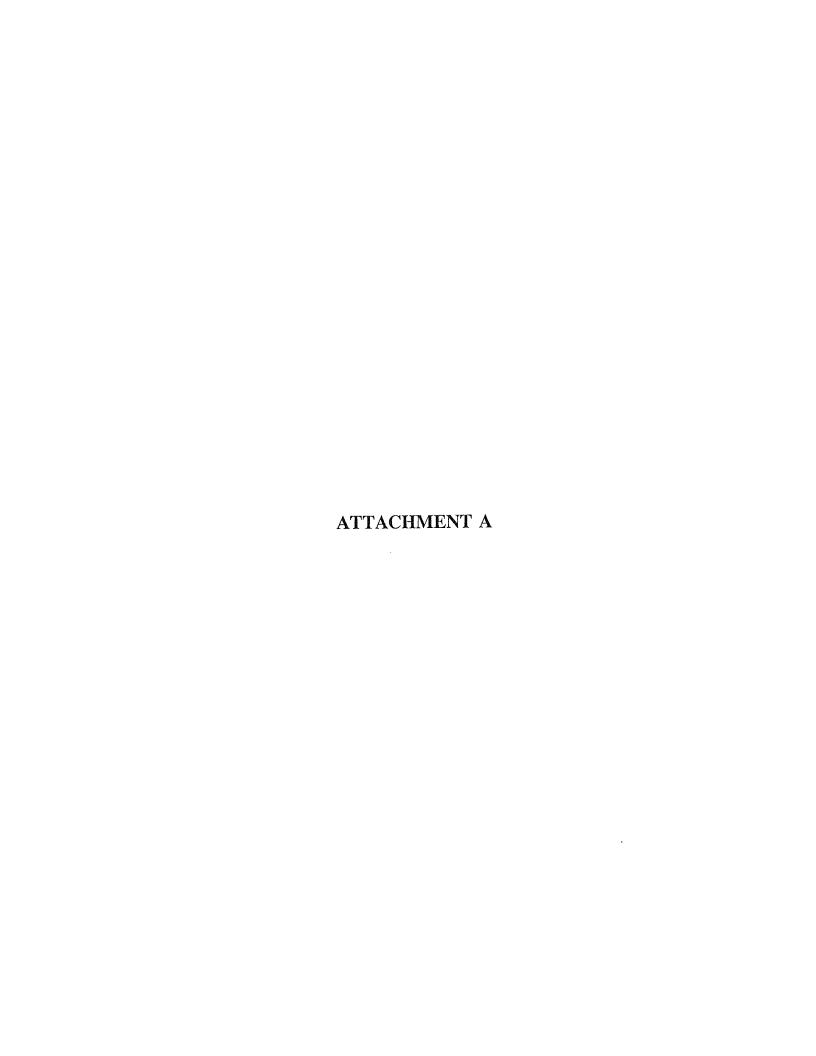
Fiscal Year	Receipts	Expenditures
1992 (July 1991- June 1992)	\$1,327,883.	\$1,085,066.
1993 (July 1992- June 1993)	\$1,515,140.	\$1,270,929.
1994 (July 1993-June 1994)	\$1,443,044.	\$1,157,823.
1995 (July 1994- June 1995)	\$1,517,252.	\$2,089,960.
1996 (July 1995- May 1995)	\$1,412,250.	\$1,336,917.

6. A poll of the Contractor Licensing Board members on their views of the Division of Labor's use of the Contractor Licensing funds was requested?

The Performance Evaluation and Research Division conducted a survey of the current Board members. Of the current members only seven responded. Of these members five believe that Contractors Licensing fees are being used to subsidize the General Revenue fund. Two members were unsure or did not know if this was the situation. Some members commented that the financial information they are provided is not very detailed.

We hope this information is responsive to the inquiries made by the committee at its last interim meeting.

Antonio E. Jones

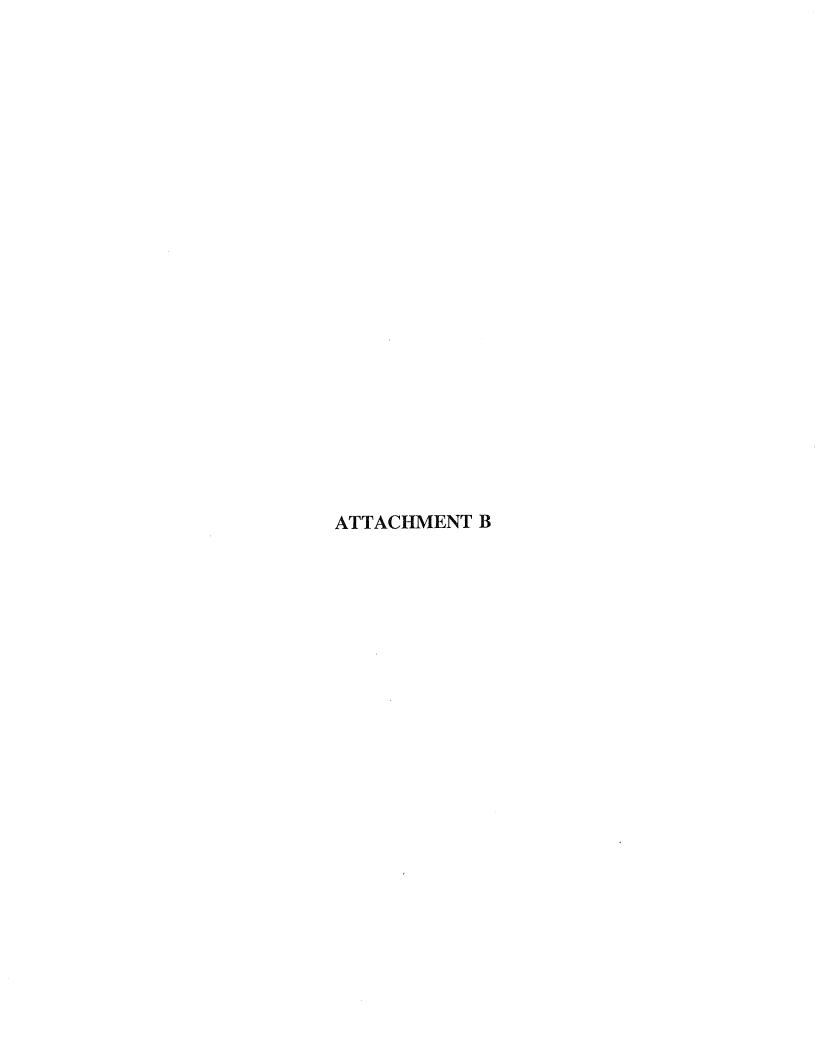


WV CONTRACTOR LICENSING BOARD MEETING RECORD

Dates of Board Meetings	Quorum Present	
Fiscal Year 1992		
July 1, 1991	Yes	
July 19, 1991	Yes	
July 29, 1991	Yes	
September 4, 1991	Yes	
September 18, 1991	Yes	
November 20, 1991	Yes	
January 15, 1992	Yes	
February 19, 1992	Yes	
March 11, 1992	Yes	
April 15, 1992	Yes	
May 20, 1992	Yes	
Fiscal Year 1993		
July 21, 1992	Yes	
August 18, 1992	Yes	
September 29, 1992	Yes	
October 27, 1992	Yes	
December 15, 1992	Yes	
January 12, 1993	Yes	
February 23, 1993	Yes	
March 23, 1993	Yes	
April 20, 1993	Yes	
115111 20, 1333		
Fiscal Year 1994		
October 19, 1993	Yes	
November 17, 1993	Yes	
February 17, 1994	Yes	
April 21, 1994	Yes	
June 21, 1994	Yes	
Fiscal Year 1995		
July 19, 1994	Yes	
August 16, 1994	Yes	
September 20, 1994	Yes	
October 18, 1994	Yes	
November 15, 1994	Yes	
January 17, 1995	Yes	
February 21, 1995	Yes	
March 21, 1995	Yes	
May 23, 1995	Yes	
June 22, 1995	Yes	
77 177 1000		_
Fiscal Year 1996	Voc	
July 18, 1995	Yes	
August 15, 1995	No	
November 14, 1995	Yes	
January 16, 1996	Yes	
February 26, 1996	Yes	
March 19, 1996	Yes	
May 21, 1996	Yes	
June 18, 1996	Yes	

WV CONTRACTOR LICENSING BOARD MEETING RECORD

In all board meetings but one there was a quorum according to the meeting minutes. For 1993 there are some minutes which were not available. The following is a count of the number of times the board has met since its inception, not including ex officio members who do not vote:
FY1992- 11 meetings FY1993- 9 meetings FY1994- 5 meetings FY1995- 10 meetings FY1996- 8 meetings
*Note the board is required by code to meet only once a year. * According to the Chairman if they feel they will not have a quorum they will cancel the meeting. This has happend at times, thus there will not be minutes printed for meetings which were cancelled due to a lack of quorum.



GENERAL BUILDING CONTRACTOR LICENSE

It seems to be rather clear that a general license was not the intent when the Contractor Licensing Act was drafted. The Act specifically defines the general building classification and residential classification. Note on page 14 of the Rules under the general building definition which states in part: "A general building contractor is considered to be a commercial, business or industrial contractor."

WV CONTRACTOR LICENSING BOARD PAGE 2 FEBRUARY 21, 1995

Jon Scearcy, d/b/a Best Homes Company (WV008741), 930 6th Avenue, Huntington, West Virginia, for abandonment of a construction project without legal excuse which he contracted in writing to complete, failed to furnish the materials and labor he contractor and return money given to him to buy materials. Mr. Jon Scearcy did not appear on his behalf. A motion was made by Mr. Ferguson to suspend Mr. Scearcy's license until the judgment is paid. The motion was seconded and unanimously carried.

GENERAL BUILDING CLASSIFICATION NOTIFICATION

The board opened the discussion up to the public and four (4) general building contractors spoke out against the requirement to hold two (2) classifications if you do both commercial and residential work. Commissioner Leary addressed all of the correspondence and telephone calls the Division of Labor had received regarding the notification that was sent out to all general contractors who hold only a general building classification but also do residential contracting. The Commissioner suggested all contractors who hold the General Building classification should be allowed to continue doing residential work under that classification. If a contractor holds only the Residential Building classification they would have to test to upgrade their present license to perform commercial work. Mr. White made a motion that anyone who holds a General Building Contractor's License is qualified to do both commercial and residential work. The motion was seconded and unanimously carried.

UPDATE ON CONTI CONSTRUCTION, INC.

Updating the Board of the status of Conti Construction, Inc. To date we have not received any further information from them. Issue tabled until further information is provided.

REQUEST TO QUALIFY MORE THAN ONE COMPANY WITH SAME TEST SCORES

A request from Mr. William J. Kuthy to transfer his test scores for his business and law and general building examination to qualify Johnann Corporation, d/b/a American Developer. Mr. Ferguson made a motion to reject Mr. Kuthy's request. Motion was seconded and unanimously carried.

- K. C. Logwood and HPI, Services, Inc. requesting to qualify more than one corporation with the same test scores.
- Mr. Ferguson made a motion to reconsider the Mr. Kuthy's request and these issues be tabled until the board can develop some guidelines. Motion was seconded and unanimously carried.

WV CONTRACTOR LICENSING BOARD PAGE 3 FEBRUARY 21, 1995

HEARING EXAMINER'S RECOMMENDATION FOR PERSONNEL TEMPORARY SERVICES

A request was presented to the Board to adopt the Findings of Fact and Conclusions of Law regarding the administrative hearing conducted on December 24, 1994 appealing the \$1,000 monetary penalty assess to Personnel Temporary Services, Inc. Mr. Carl made a motion to accept the hearing examiner's recommendation. The motion was seconded and unanimously carried.

HEARING EXAMINER'S RECOMMENDATION FOR PAUL BOSTIC

A request was presented to the Board to adopt the Findings of Fact and Conclusions of Law regarding the administrative hearing conducted on January 6, 1995 appealing the \$1,000 monetary penalty issued to Paul Bostic. Mr. Bell made a motion to accept the hearing examiner's recommendation. The motion was seconded and unanimously carried.

CHEMICAL PROTECTION & SPRINKLER INSTALLER

A request for information pertaining to Chemical Protection and Sprinkler Installer examinations. Mr. Ferguson made a motion to separate Chemical Protection and Sprinkler Installer into two categories as per the scope we have presented to us. The motion was seconded and unanimously carried.

AIR & WATER BALANCE EXAMINATION

A request for a subcommittee to review questions for Air & Water Balance examinations with National Assessment Institute. The Board suggested that the Division of Labor come up with some names of people who would qualify to help make up test questions and categories, if they have any names of people who would be interested in being a part of the subcommittee they will refer them to Mr. Chris Quasebarth.

REQUEST FROM BOB GREENLEAF

The Board considered a request from Bob Greenleaf to reconsider his \$500.00 monetary penalty issued in 1992. Mr. Bell made a motion to suspend Mr. Greenleaf's license until he pays the fine. The motion was seconded and unanimously carried.

REQUEST FROM THE DIVISION OF LABOR

A request by the Division of Labor to reconsider the fine issued to Westfall Construction because incomplete information was presented to the Board. Mr. White made a motion to rescind Westfall

WV CONTRACTOR LICENSING BOARD PAGE 4 FEBRUARY 21, 1995

Constructions fine. The motion was seconded and unanimously carried.

REPORT FROM COMMISSIONER LEARY

Ms. Leary wanted to inform the board that we have nine (9) new * compliance officers and that a more extensive report will be given at the next board meeting. Also a meeting of the board is scheduled for March 17, 1995 at the Division of Labor's office.

A request was made by the board members that a financial report be presented at the next board meeting.

Fines Assessed

Following hearings, the Board assessed the following monetary penalties against companies issued cease and desist orders for working in West Virginia without contractor licenses:

FINES ASSESSED

\$ 500.00 200.00 500.00 200.00 1,000.00 200.00 250.00	Kelly Temporary Services, Charleston, WV Mike L. Walker, Parkersburg, WV MacDonald Associates, Upper Marlboro, MD Lee McKinley, Charleston, MS John Douglas Eisinger, Winter Haven, FL Jeff Trent, St. Albans, WV Davis House Moving & Contracting, Hurricane,
200.00 500.00 1,000.00 1,000.00 500.00 500.00 1,000.00	J Co Construction, Cross Lanes, WV Cantech Services, Whitesboro, NY Personnel Temporary Services, Parkersburg, WV Personnel Temporary Services, Parkersburg, WV Sovine Electric, Scott Depot, WV William E. Brown, Hurricane, WV George Harrison, Shinnston, WV
500.00 1,000.00 200.00	Don's Decks, Sophia, WV Manpower Temporary Services, Steubenville, OH Jeffrey D. Crowl, Alliance, OH
200.00 200.00 250.00 200.00 250.00 500.00 500.00	James W. Hiles, Jr., Minerva, OH Industra Comm Flooring Services, Inc. Remac USA, Inc., Silver Springs, MD U S Hotel Renovations Corp. Steel and Roof Structures, Memphis, TN R & S Mechanical Service, Staunton, VA Wall Covering Specialist, Greensburg, PA Schurmans, Inc., Sewickely, PA

WV CONTRACTOR LICENSING BOARD PAGE 5 FEBRUARY 21, 1995

Meetings Set

Friday, March 17, 1995, 9:00 a.m. at the Division of Labor, Building 3, Room 319, Capitol Complex, Charleston, WV

Tuesday, March 21, 1995, 9:00 a.m. at the Charleston House Holiday Inn, Charleston, WV.

The Board adjourned the meeting at 2:25 p.m.

MINUTES WEST VIRGINIA CONTRACTOR LICENSING BOARD February 21, 1995

The West Virginia Contractor Licensing Board met February 21, 1995, at 9:00 a.m. at the Charleston House Holiday Inn, Charleston, West Virginia.

:5

BOARD MEMBERS PRESENT:

Mr. Robert O. Orders, Jr.

Mr. Robert Carl

Mr. Jack Murray

Mr. John Wade Bell, III

Mr. James White

Mr. Frank Ferguson

Ms. Shelby Leary, Ex officio Member

BOARD MEMBERS ABSENT:

Mr. Winfield Strock

Mr. Robert Cannon

Mr. Curtis Given

Ms. Nanette Stevens

Mr. Robert Workman, Ex officio Member designee

Mr. Sam Bays, Ex officio Member designee

Ms. Karen Scragg, Employment Security, Ex officio Member Designee

OTHERS PRESENT:

Mr. Brad Deel, Attorney General's Office

Mr. Steve Allred, Wage & Hour Director

Meeting Called to Order

Vice-Chairman Orders called the meeting to order at 9:20 a.m.

Approval of January 17, 1995 meeting minutes.

Mr. Carl moved the minutes of January 17, 1995 be accepted as presented and unanimously carried.

Public Comment

No one participated during public comment.

DISCIPLINARY HEARINGS

The Board conducted a hearing under disciplinary provisions of the West Virginia Contractor Licensing Act (§ 21-11-14), requested by Ms. Anita Harold Ashley, counsel for Mr. Thomas R. Mitchell, HC 76, Box 6A, Spencer, West Virginia . Mr. Mitchell testified he had obtained a \$1,500.00 Roane County Magistrate Court judgment against

WEST VIRGINIA CONTRACTOR LICENSING BOARD MARCH 17, 1995

DISCUSSION REGARDING TEST SCORES

A West Virginia Contractor License is issued to an entity. Test scores cannot qualify more than one company.

Dan Jividen and Chris Quasebarth were requested to draft a policy stating test scores cannot be transferred. Refer to statute 6.4 * "an entity".

Contractors holding the General Building classification can do residential and commercial building but they cannot do HVAC, Plumbing and Electrical in commercial projects.

The Contractor Licensing Board will be reviewing the list of untested specialties and informing DOL staff which specialties require testing under other classifications.

MINUTES WEST VIRGINIA CONTRACTOR LICENSING BOARD May 23, 1995

The West Virginia Contractor Licensing Board met May 23, 1995, at 9:00 a.m. at the Charleston House Holiday Inn, Charleston, West Virginia.

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BOARD MEMBERS PRESENT:

Mr. Winfield H. Strock

Mr. Robert Carl

Mr. Jack Murray

Mr. Curtis Given

Mr. John Wade Bell, III

Mr. Randy Ferguson

Mr. Robert Cannon

Ms. Nan Stevens

Mr. James White

Ms. Shelby Leary, Ex officio Member

Ms. Karen Scragg, Employment Security, Ex officio Member Designee

BOARD MEMBERS ABSENT:

Mr. Robert O. Orders, Jr.

Mr. Robert Workman, Ex officio Member designee

Mr. Sam Bays, Ex officio Member designee

OTHERS PRESENT:

Mr. Chris Quasebarth, Deputy Commissioner

Mr. Daynus Jividen, Attorney General's Office

Mr. Steve Allred, Wage & Hour Director

Meeting Called to Order

Chairman Strock called the meeting to order at 9:10 a.m.

Approval of March 21, 1995 meeting minutes.

Mr. Carl moved the minutes of March 21, 1995 be accepted as presented and unanimously carried.

Public Comment

There were no comments from the public.

DISCIPLINARY HEARINGS

The Board conducted a hearing under disciplinary provisions of the West Virginia Contractor Licensing Act (§ 21-11-14), requested by Mr. James P. Martin, counsel for Ricardo Salinas, Fidel San Juan, Santiago Mora, Angel Olozagaste and Julio Cesar Conpean, 525-527

Winchester Avenue, P. O. Box 1898, Martinsburg, West Virginia. Mr. Martin testified that a \$17,944.25 judgment was obtained in Berkeley County Circuit Court against Victor W. Dill (WV013668), 158 Flowers Lane, Winchester, West Virginia, for deliberate failure to pay any moneys when due for any services rendered in connection with such person's operations as a contractor. Mr. Victor W. Dill did not appear on his behalf. A motion was made by Mr. Cannon to suspend Mr. Dill's license until the judgment is paid. The motion was seconded and unanimously carried.

The Board conducted a hearing under disciplinary provisions of the West Virginia Contractor Licensing Act (§ 21-11-14), requested by Mr. Ronald L. Brammer, d/b/a Arrow Coal Grove, Inc., 300 Marion Pike, Coal Grove, Ohio. Mr. Brammer testified that a \$15,000.00 judgment was obtained in Lawrence County, Ohio Court of Common Pleas against Mr. Larry Z. Medcalf, d/b/a Medcalf Construction Arrow Coal Grove, Inc. (WV023044), 1117 E. 4th Street, South Point, Ohio, for deliberate failure to pay any moneys when due for any services rendered in connection with such person's operations as a contractor. Mr. Larry Z. Medcalf appeared on his behalf and testified on his behalf. A motion was made by Mr. Carl to table the issue until further information is provided. The motion was seconded and unanimously carried.

HEARING EXAMINER'S RECOMMENDATION MIRAGE DECORATING

A request was presented to the Board to adopt the Findings of Fact and Conclusions of Law regarding the administrative hearing conducted on March 13, 1995 appealing the \$500.00 monetary penalty assessed to Mirage Decorating. Mr. Cannon made a motion to accept the hearing examiner's recommendation. The motion was seconded and unanimously carried.

SUGGESTED RULE CHANGES

Mr. Quasebarth presented suggested changes to the rules, as previously discussed. Brief synopsis of changes made in Series 1, § 3.3, the definition of administrative hearing cleaned up the language, changed to rules "of the board", because there is also information in Series 2 relating to administrative hearings. § 4.2, the Board shall commence all meetings at 11:00, changed to "9:00", because the Board always meets at 9:00. § 6.4 and 6.5 talking about notice of meetings emergency and regular meetings, to be sent to Secretary of States office for publishing in the State's register that is required and will remain, "notice shall be made similarly to the news media" has been taken out. If the Board chooses to publish it to the media it can-still be done. § 8.2 the Board shall select a Chair and added in a Vice-Chair and the election will take place at the annual meeting. § 8.3 added in a

line "in the absence of the Chair the Vice-Chair shall execute all duties of the Chair". § 9.1 reads that each member will be reimbursed for all actual expenses, I added in "in accordance with law", this is not going to change anything you will still be reimbursed for your actual expenses, but in case the Statute changes and their is a restriction on it, there is not conflict on it with the rule. § 12.1.4 under administrative hearings, the * assistance of a attorney duly qualified to practice law in the State of West Virginia, added in "at the person's own expense", so there is no question as to who is paying for that attorney. § 12.2 testimony in reference to administrative hearing, added "the Board shall maintain the complete record of the proceeding of the administrative hearing", the Board shall prepare an official record which shall include the transcript of the testimony and all exhibits admitted into evidence, added "upon the request of a party to the proceeding or upon it's appeal", the way the rule read prior to these changes the Board was required to make a transcript of every administrative hearing, with these changes the Board can just keep the record, keep the tape and if a transcript is requested, or if someone appeals, a transcript can be made. § 12.5 continuances administrative hearings, added "it's appointed examiner", so it reads the Board or it's appointed hearing examiner shall rule upon motions of continuance.

Series 2, effective dates and filing dates have been marked through. § 3.14 definition of general building contractor, changed the language to reflect the Board's determination on a general building contractor being able to do both commercial residential work, and clarified that a residential contractor engaged in commercial contracting must also have those specific classifications. Mr. Cannon objected to this rule change. Carl made a motion to revisit the motion that was made at the February 21, 1995 regarding General Building Contractors. motion was seconded and unanimously carried. Mr. Cannon made a motion to work with the original language of the definition for a general building contractor. § 3.20 Multi-family contractor definition added "residential" and struck the last line "as defined by this rule". § 3.26 Asphalt contractors, strike "residential" § 3.27 Residential Concrete and just list asphalt contractor. strike "residential" and just list Concrete contractor. definitions in 3.37, 3.38, 3.39, and 3.40 for the four tested specialty classifications. § 5.3 add the current license fee of \$90.00. Mr. Strock asked why not strike the reference, if it has to be re-written each time we may raise the fee? Mr. Quasebarth responded that he believed that without the fee specified in the rule, the Board may not legally have a fee. § 5.5 Renewals, added "renewal will occur upon verification that licensee is compliance with WV Code 21-11-5(c). Mr. Ferguson stated that conditional licenses were voted out and will be marked out. § 6.2

added tested classification that the Board has added as specialties and added "and such other specialty classifications as it the Board may determine warrant examination". § 9.1 reads: "any person adversely affected by any action of the Board may appeal to the Board within 60 days of such action, added "other than an action taken by the Board as a result of an administrative hearing conducted by the Board", so if the Board conducts an administrative hearing there is not the requirement in the rule, that the Board has to conduct another administrative hearing on appeal.

A motion was made by Mr. Cannon to strike the changes made in Series 2, § 3.14 general building contractor definition, and to keep the definition as it was originally written. The motion was seconded and unanimously carried.

Mr. Ferguson stated that early in the rule process the Board decided to eliminate § 5.6 reference to a conditional license.

The Board directed Mr. Quasebarth to enter the Rule changes as presented with the changes the were requested by the Board, and upon consultation with Mr. Jividen as to the fee issue and technical aspects.

CITATIONS

Informed the Board of a new citation form that was developed to be issued to contractors who do not list their contractor license number on cards or advertising or post it at job sites. The Board can fine up to \$200.00 when a contractor is found in violation. Contractors who subcontract to unlicensed contractors should be taken to court. The Board directed Mr. Jividen to take all Contractors who hired unlicensed subcontractors to court, starting from this meeting.

SEARS AMERICAN SIDING & DECK, INC.

A request by the Deputy Commissioner to rescind the fine issued to Sears American Siding & Deck, Inc., because they were licensed under the name of American Siding & Deck, Inc.. Mr. Cannon made a motion to rescind Sears American Siding & Deck, Inc. fine. The motion was seconded and unanimously carried.

SPECIALTY LICENSE CLASSIFICATIONS

Tabled until next meeting.

REQUEST DIRECTION FROM THE BOARD REGARDING FINES

Commissioner Leary request direction from the Board concerning fines that were issued to Godfrey's Trucking, d/b/a Custom

Buildings, Action Builders, Tracy Gilbert and Patco/Reinco. A motion was made by Mr. Carl to table these issues until Commissioner Leary can present further information. The motion was seconded and unanimously carried.

REQUEST FROM MANPOWER TEMPORARY SERVICES

A request from Manpower Temporary Services for the Board to reconsider \$1,000.00 fine. A motion was made by Mr. Carl to deny the request. The motion was seconded and unanimously carried.

REQUEST FROM WALKER FAIRLEY HALL

A request from Walker Fairley Hall for the Board to reconsider \$1,000.00 fine. A motion was made by Mr. Carl to deny the request. The motion was seconded and unanimously carried.

Fines Assessed

Following hearings, the Board assessed the following monetary penalties against companies issued cease and desist orders for working in West Virginia without contractor licenses:

FINES ASSESSED

\$ 200.00 Mr. R. Todd Flanders, Guysville, OH 45735 200.00 Mr. Mark Nelson, Coolville, OH 45723 200.00 Holliday Builders, Spencer, WV 25276 200.00 Jesse M. Starcher, Spencer, WV 25276	
	L5241
500.00 Bommer Construction, Bellaire, OH 43906	
1,000.00 Mr. Steve Morris, Covington, VA 24426	
1,000.00 Mr. Andrew Morris, Covington, VA 24426	
1,000.00 McGee Corp., Matthews, NC 28105	
200.00 Mr. Gary D. Striker, Pittsburgh, PA 15212	
750.00 Mr. Ed Stasik, Pittsburgh, PA 15210	
750.00 Mr. Ralph Zeiler, Pittsburgh, PA 15210	
750.00 Mr. Mike Zeiler, Pittsburgh, PA 15210	
250.00 Mr. Ed Pitner, Sarahsville, OH 43779	
250.00 Mr. Mike Conaway, Parkersburg, WV 26101	
200.00 Mr. Nick Stewart, Williamstown, WV 26187	
200.00 Reeves Fence Construction, Aurora, WV 26705	5
1,000.00 AAA Drywall, South Point, OH 45680	
500.00 Mr. Bob Spence, Belpre, OH 45714	
500.00 Mr. Rush J. Smith, St. Albans, WV 25177	
500.00 L M Russell General Contractor, Gore, VA 22	2637
200.00 Mr. Thomas Harold, Clarksburg, WV 26301	
250.00 Mr. Kenny Cremeans, Coolville, OH 45723	
250.00 Mr. Tim Holman, Coolville, OH 45723	

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250.00
          Mr. Brian Johnson, Coolville, OH
                                            45723
  250.00
          Mr. Jeff Johnson, Coolville, OH 45723
  200.00
          R J Pitcher Flooring Contractors, Liver Pool, NY
          CHK Development, St. Clairsville, OH 43950
  200.00
  200.00
          J G Masonry & Const., Clarington, OH
                                                 43915
  500.00
          Liquid Assets, Inc., Heath, OH
  250.00
          Mr. Terry L. Jewell, Rutland, OH
                                             45775
          Mr. James L. Fife, Middleport, OH 45670
  250.00
          United Tele Systems, Colonial Heights, VA
  200.00
                                                      23834
  200.00
          Mr. Richard Smith, Coolville, OH
          Mr. Charlie Holman, Coolville, OH
  200.00
                                             45723
  200.00
          Quality Landscaping, Morgantown, WV 26505
  200.00
          BFE Sign Co., Inc., Cincinnati, OH
                                              45255
  200.00
          W M Mason Sign, Co., Inc., Mason, OH 45040
  200.00
          Mr. Delman Brabson, Ridgeley, WV
                                             26753
  500.00
          Mr. Edward T. Wasmer, Walker, WV
                                             26180
  200.00
          Winters Construction, Oakland, MD
                                             21550
  500.00
          Sams Home Maintenance, Ripley, WV
  200.00
          Worldwide Installation, Dallas, TX 75229
          Mr. Scott Myers, Davisville, WV 26142
  200.00
  200.00
          Lease Carpet & Vinyl, Cumberland, MD
                                                 21502
  200.00
          M W Ritter Contracting, Cumberland, MD 21502
1,000.00
          Mr. Harvey Cudd, Fairfax, VA 22033
          Will-o Contracting, Inc., Chesapeake, OH 45619
1,000.00
  500.00
          Mr. John Boehm, West End Pittsburgh, PA
          Mr. Mike Wynnik, Carnegie, PA
  500.00
         Mr. Chuck Plezia, Carnegie, PA 15107
Mr. Chris Nutter, New Haven, WV 25265
  500.00
  500.00
 500.00
         Mr. Steven Todd Nutter, Mason, WV 25260
 200.00
          Mr. Pete Cameon, Fairmont, WV 26554
1,000.00
         Mr. George Hanway, Lewisburg, WV 24901
          Mr. Bob Chichester, Walker, WV
  500.00
                                          26180
  200.00
          Mr. Glenn Garrett, Huntington, WV
                                              25701
  200.00
          Mr. Peter F. Muth, Huntington, WV
  200.00
          Smiths Roofing & Painting, Chattaroy, WV
                                                     25667
          Mr. Kenneth E. Akins, Sr., Hendricks, WV
  200.00
                                                     26271
  200.00
         Mr. Mark Holbert, Vienna, WV
                                        26105
  200.00
         Mr. Terry Holliday, Spencer, WV
  200.00
          Justice Contracting, Inc., Delbarton, WV
                                                     25670
  200.00
          Mr. Joseph Joy, Monongah, WV 26554
          Mr. John Gibson, Marietta, OH
  200.00
                                        45750
  500.00
          Builders Construction, Atlanta, GA
                                               30238
 200.00
          Allwood Structures, Greentown, OH 44630
  200.00
          Mr. Jerry Toncray, Belpre, OH 45714
 200.00
         Mr. Melvin Landman, Jr., Dunbar, PA
 200.00
          JT & JF Equipment, Inc., Cabins, WV
                                                26885
 200.00
          Woodway Construction Co., Barboursville, WV
                                                        25504
 200.00
         Mr. Andrew Peterson, Stanton, VA 24401
 200.00
         Mr. Raymond Garber, Mt. Crawford, VA 22841
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AND THE PROPERTY OF THE PROPER

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200.00
        Mr. George Shull, Mt. Solon, VA 22843
200.00
        Venables Excavating, Front Royal, VA
200.00
        Da Nite Sign Co., Columbus, OH 43223
200.00
        Insley Plumbing, Marrietta, OH
                                       45750
200.00
        Donald R. Myers, Masontown, PA 15461
200.00
        Titan Fabrication, Inc., Lowell, OH 45744
        Elk Enterprises, Webster Springs, WV 26288
200.00
200.00
       K W Construction, Bethel, PA 19507
500.00
        Ruth Pool Supplies, Belpre, OH 45714
200.00
        Wengred Roofing Co., Salisbury, PA 15558
       J H Construction, Newark, DE 97711
200.00
        Bob Stuart Painting, Valliant, OK 74764
500.00
200.00
       Whiteco Outdoor Advertising, Blacklick, OH 43004
200.00
        Golden Rule Services, Ruckersville, VA 22968
       Mr. Joe Kuhn, Parkersburg, WV 26106
200.00
       Mr. Dave Ward, Marietta, OH 45750
200.00
200.00
       Mr. Gary A. Hall, Wheeling, WV 26003
200.00
       Mr. Stan Waybright, Belville, WV 26133
200.00
       RAV Construction, Forest Hills, KY 41527
       Sylvania Lighting Services Corp., Oxon Hill, MD
200.00
200.00
       Mr. David Williamson, Wilsondale, WV 25699
200.00
       Sonny Thacker & Son Bldg. & Remodeling, Canada, KY
       Mr. Clarence Fletcher, Carnegie, PA 15106
500.00
        Stromberg Sheet Metal Works, Inc., Washington, DC
200.00
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Meetings Set

June 22, 1995 and July 18, 1995 at 9:00 a.m. at the Charleston House Holiday Inn, Charleston, WV.

The Board adjourned the meeting at 4:00 p.m.

MINUTES WEST VIRGINIA CONTRACTOR LICENSING BOARD July 18, 1995

The West Virginia Contractor Licensing Board met July 18, 1995, at 9:00 a.m. at the Charleston House Holiday Inn, Charleston, West Virginia.

BOARD MEMBERS PRESENT:

Mr. Winfield H. Strock

Mr. Curtis Given

Mr. John Wade Bell, III

Mr. Randy Ferguson

Mr. Jack Murray

Mr. Robert Cannon

Ms. Nan Stevens

Mr. Bob Carl

Mr. James White

Ms. Shelby Leary, Ex officio Member

Mr. Robert Workman, Ex officio Member designee

BOARD MEMBERS ABSENT:

Mr. Robert O. Orders, Jr.

Mr. Sam Bays, Ex officio Member designee

Ms. Karen Scragg, Ex officio Member designee

OTHERS PRESENT:

Mr. Daynus Jividen, Attorney General's Office

Mr. Steve Allred, Wage & Hour Director

Meeting Called to Order

Chairman Strock called the meeting to order at 9:05 a.m.

Approval of June 22, 1995 meeting minutes.

Mr. Cannon moved the minutes of June 22, 1995 be accepted as presented and unanimously carried.

Public Comment

There were no comments from the public.

Jo-Del, Inc. Notice of Appeal

Information presented to the Board as verification of the appeal of the judgment received by Mr. Jones against Jo-Del.

WV CONTRACTOR LICENSING BOARD JULY 18, 1995 PAGE 2

Proposed Rule Changes

At the May 23, 1995 meeting the Board reviewed changes to its rules proposed by the Division, and accepted those proposals, except the proposal which would specifically allow persons holding the general building classification to do residential work. The proposals were put out for public comment, of which only one, from the Home > Builders Association, was received. That comment urged the Board adopt a rule change which would allow general building contractors to perform residential work. Mr. Bell stated that most Board members are uncomfortable with the decision made in May regarding these classifications. A concern is that we have flipflopped and we do not understand what we have voted for and voted for something we are not in agreement with. Mr. Strock stated that what the Board voted for was if you are a general contractor you can only do commercial work, if you are a residential contractor you can only do residential work. To upgrade these contractors whether tested or grandfathered they need to send in documentation to upgrade and the residential will be added. Mr. White asked how are we going to get the information out to all general contractors who were here. Mr. Carl says that they were told that if they hold a general building classification they can do it all, and in good faith the contractor took the general building test only. Mr. Carl stated that our main concern is what has been done in the past, all we are trying to do is making it a level playing field. How this situation is rectified is all that I am concerned with. Ms. Leary stated I don't believe it is a problem to rectify this problem. A directive to the officers and staff to say from this day forward it is very clear to the Board if you are a general contractor you have to take the general building test and if you are a residential contractor you have to take the residential test, if you do both you have to take both test. Mr. Cannon moved that the Home Builders comment be rejected and that those grandfathered licensees who were inadvertently misled in their classifications of work be granted by the department, those contractors who tested in the same situation and were misled be granted that same classification or additional classifications because of these circumstances. The motion was seconded and unanimously carried.

Quorum

Discussion with Board Members about having and maintaining a quorum for all meetings. Mr. Strock suggested that all Board Members search their souls regarding how they feel about continued participation with the Board. Also, possibly holding a meeting once every two months. It may be easier for all of us to commit at meeting six times per year instead of twelve.

WV CONTRACTOR LICENSING BOARD JULY 18, 1995 PAGE 3

Parsons & Sons General Contracting

Mr. Cannon moved to reinstate Parsons & Sons General Contracting (WV003951) contractors license because judgment has been paid. Motion was seconded and unanimously carried.

Workers' Compensation/Unemployment Compensation

The West Virginia Division of Labor is not renewing licenses to contractors who are delinquent with their Workers' Compensation funds. Mr. Jividen requested the board to state where they receive authority to not renew licensees who owe Workers' Compensation 21-11-2 to enforce uniform compliance with all the laws in the State of West Virginia to ensure a level playing field with all contractors.

Commissioner Leary's Comments

Voiced concerns about the testing procedures in reference to written and telephone complaints about testing and how much it cost too pass the test. Mr. Strock stated he didn't think it cost too much for the testing we just have too many people flunking. I think it would be a good idea to put on a seminar for testing that have the highest fail rate. If someone comes in and thinks they're an electrician and fails the test three times, I personally don't want them working on my house. I would also like to know who is taking these test and how many times they're taking the test. Find out how many people are being inconvenienced? Mr. Strock requested that the Board members be sent copies of the test that was given in their disciplines, so they can review the test.

Fines Assessed

Following hearings, the Board assessed the following monetary penalties against companies issued cease and desist orders for working in West Virginia without contractor licenses:

FINES ASSESSED

200.00	Amos Taylor, Bristol, WV
200.00	Charles Arnett, Little Hocking, WV
200.00	Jay A. Grim, Louisa, KY
500.00	Coast to Coast Builders, Inc., Wichita, KS
200.00	Richard A. Engel, Imperial, PA
200.00	Quadrant Corporation, Fairmont, WV
200.00	Royce A. Gordon, Lahmansville, WV
200.00	Richard Barrick, Keyser, WV
200.00	Mueller Homes, Inc., Hydman, PA
500.00	Rustys Welding Service, Inc., Richmond, VA

WV CONTRACTOR LICENSING BOARD JULY 18, 1995 PAGE 4

200.00 500.00 1,000.00 500.00 200.00 200.00 250.00 200.00 400.00 500.00 200.00 200.00 200.00 300.00 200.00 300.00 200.00 1,000.00 1,000.00	James Flanigan, Bristol, WV R C Masonry, Augusta, WV Intrepid Stone, Harvey, LA Heritage Construction Group, Hedgesville, WV Larry Kerns, Parkersburg, WV Nick Proscia, parkersburg, WV Gutter Works, Belpre, OH ATEC, Morningview, KY George Ellin, Brandenton, FL Daves Remodeling, Little Hocking, OH Bobby Edwards, Colbert, GA Timmy Brown, Belle, WV c/o Jimmy Betzing, Rand, WV Glen Williamson, Oakland, MD Brownings, Inc., Oakland, MD H & L Enterprises, Inc., Washington, PA Frank Bonar, Millwood, WV Michael S. Langford, Friendly, WV Frank Wescott, Zanesville, OH J G Contracting, Bethel Park, PA David Ward, Marietta, OH
750.00 500.00	James Vito & Sons, Marlboro, MD Interstate Contractors Supply Co., Meadowlands, PA

Meetings Set

August 15, 1995 at 9:00 a.m. and September 19, 1995 at the Charleston House Holiday Inn, Charleston, WV.

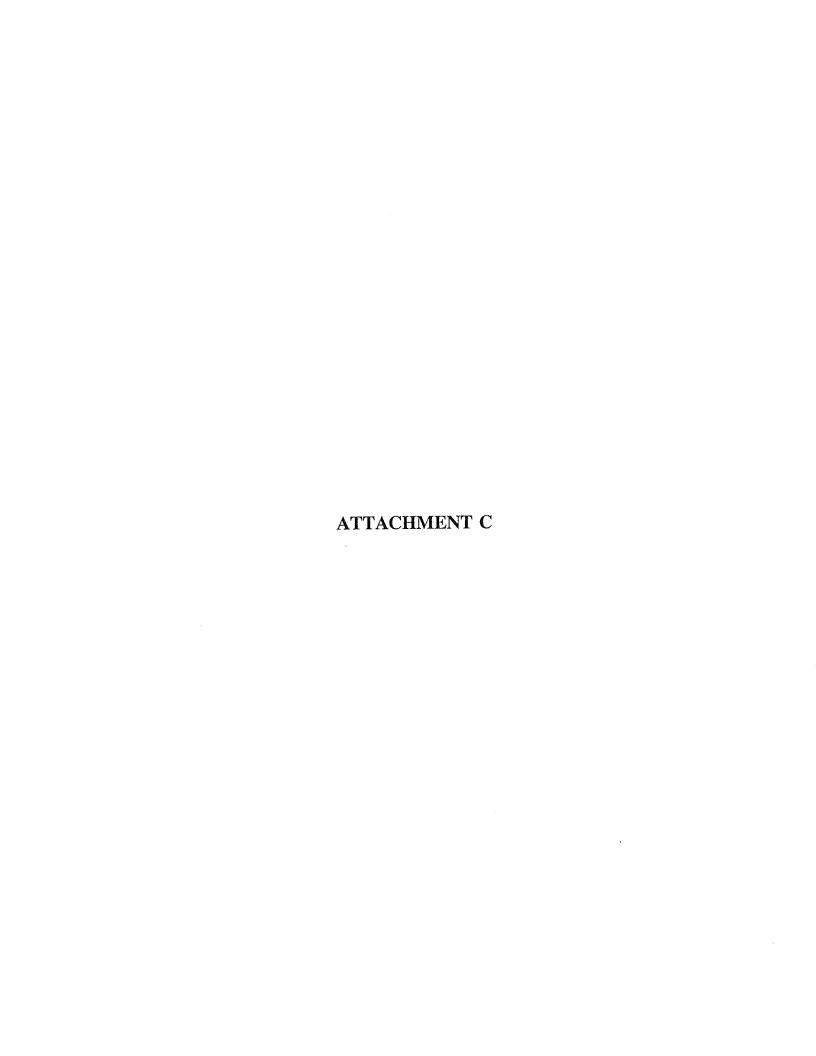
The Board adjourned the meeting at 12:15 p.m.

of lightweight steel wall partitions and supporting members for gypsum drywall and the installation and repair of movable partitions for the application of gypsum drywall panels.

- 3.12. "Electrical Contractor" means a person who engages in the business of contracting to install, erect, repair or alter electrical equipment for the generation, transmission or utilization of electrical energy and work incidental thereto.
- 3.13. An "emergency basis" under W. Va. Code §21-11-6(c)(6) exists upon occurrence of an event, circumstance or situation which presents an imminent threat to persons or property constituting a serious health or safety hazard.
- 3.14. "Employee of a contractor" means any individual who works under the control and supervision of a contractor subject to this Rule for a wage and other benefits as required by law. An employee of a contractor is not a subcontractor.
- 3.15. "Excavation (specialty) Contractor" means a contractor whose primary business is the installation, alteration, and repair of earthen material by digging, trenching, grading, or compacting the material for a cut, fill, grade, or trench and work incidental thereto, including the installation, alteration, and repair of crib walls, gabion walls, and other devices not to exceed six (6) feet in height for the purpose of controlling the movement of earthen materials.
- 3.16. "General Building Contractor" means a person whose principal business is in connection with any structures built, being built or to be built for the support, shelter and enclosure of persons, animals, chattels or movable property of any kind, requiring in the construction the use of more than two contractor classifications, or a person who supervises the whole or any part of the construction. A general building contractor is considered to be a commercial, business or industrial contractor. A general building contractor who desires to perform electrical; plumbing; heating, ventilating and cooling; piping; or general engineering contracting work as defined in this rule; shall obtain a license in those classifications.
- 3.17. "General Engineering Contractor" means a person whose principal business is in connection with public or private works projects, including, but not limited to, one or more of the following: Irrigation, drainage and water supply projects; electrical generation projects; swimming pools; flood control; harbors; railroads; highways; tunnels; airports and airways; sewers and sewage disposal systems; bridges; inland waterways; pipelines for transmission of petroleum and other liquid or gaseous substances; refineries; chemical plants and other industrial plants requiring a specialized engineering knowledge and skill; piers and foundations; and structures or work incidental thereto. "Swimming pools" means a public swimming pool as defined by the Building Officials and Code Administrators B.O.C.A. National Building Code/1990, Article 6, Section 623.2.A.
- 3.18. "Heating, Ventilating and Cooling Contractor" means a person who engages in the business of contracting to install, erect, repair, service or alter heating, ventilating and air conditioning equipment or systems to heat, cool or ventilate residential and commercial structures or work incidental thereto.
- 3.19. "Landscaping (specialty) Contractor" means a contractor whose primary business is preparation and alteration of land for horticulture and arboriculture and work incidental thereto, including irrigation systems and controls, the installation of non-loadbearing slabs, walkways, and areas using concrete, brick, stone, or gravel and all other materials and equipment associated with the installation of those materials. Excluded are concrete

slabs exceeding 400 square feet and concrete walkways exceeding 200 square feet in surface area. Excluded are retaining walls over three (3) feet in height, decorative walls or fences over six (6) feet in height, perimeter walls and fences, and load-bearing slabs and walkways. Carpentry is limited to decorative fences and screens, planter boxes, and plant tubs common to the industry.

- 3.20. "License" means a license to engage in business in this state as a contractor in one of the classifications set out in this rule.
- 3.21. "Low Voltage Systems (specialty) Contractor" means a contractor engaged in the installation, repair or maintenance of communication, monitoring, security, sound, and other systems utilizing low voltage electric currents, the system's directly related wiring, and work incidental thereto. "Low voltage" means wiring systems of 50 volts or less and the control circuits directly associated with the system. "Directly related wiring" means line voltage wiring not in excess of 300 volts originating at the load-side terminals of a disconnecting means or junction box that has been installed by persons properly licensed to install it for the sole purpose of supplying power to the low voltage system.
- 3.22. "Manufactured Home Installation (specialty) Contractor" means a contractor engaged in the installation of manufactured homes, as that term is defined by W. Va. Code § 21-9-1, including soil analysis, site preparation, construction of the foundation system, placement of the manufactured home, connection of the utilities, anchoring, ground moisture control, and finish carpentry. Possession of this license is in addition to possession of any license required pursuant to W. Va. Code § 21-9-1.
- 3.23. "Masonry (specialty) Contractor" means a contractor whose primary business is the installation of brick, concrete block, stone, marble, slate or other units and products common to the masonry industry, with or without mortar and work incidental thereto, including the installation of grout, caulking, tuck pointing, sand blasting, mortar washing, parging, cleaning, and welding of reinforcement steel related to masonry construction.
- 3.24. "Multifamily Contractor" means a person who is engaged in the construction, repair or improvement of a multifamily residential structure or work incidental thereto. "Multifamily residential structure" means a structure containing two or more residential units.
- 3.25. "Person" includes an individual, firm, sole proprietorship, partnership, corporation, association or other entity engaged in the undertaking of construction projects, or any combination thereof.
- 3.26. "Piping Contractor" means a person whose principal business is the installation of process, power plant, air, oil, gasoline, chemical or other kinds of piping; and boilers and pressure vessels using joining methods of thread, weld, solvent weld or mechanical methods or work incidental thereto.
- 3.27. "Plumbing Contractor" means a person whose principal business is the installation, maintenance, extension and alteration of piping, plumbing fixtures, plumbing appliances and plumbing appurtenances, venting systems and public or private water supply systems within or adjacent to any building or structure; including the installation of gas piping, chilled water piping in connection with refrigeration processes and comfort cooling, hot water piping in connection with building heating, piping for stand pipes or work incidental thereto.
- 3.28. "Posting of the license" means placing a copy of the contractor's license on each job site where contracting work is being performed by each contractor working at the job site location where the general public and inspecting agents of the Board can easily read each contractor's name, license number, license classification and license expiration date.



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LICENSURE TIME-FRAME

A license can be issued within two or three days if the individual passes the required examinations and meets all other licensure requirements such as: Secretary of State (Certificate of Authority) if they are applying as a corporation whether a foreign corporation or in-state. (The approximate time to receive a certificate of authority is around two (2) weeks.) If they have employees they must register with Workers' Compensation and Unemployment Compensation. A business tax registration can be applied for as a walk-in and a temporary number issued the same day. If commercial work is performed a wage bond must be posted if the entity has not performed work in the State for (5) five consecutive years.

The timely manner in which a contractor can become licensed depends a great deal on the contractor (licensee). The Board has licensed contractors on the same day after taking the required examinations and providing a completed application. Test scores can be obtained on the same day the test is taken.

WEST VIRGINIA DIVISION OF LABOR

The state of the s

ecosigolog@com-

319 Building 3, Capitol Complex Charleston, West Virginia 25305

002320

Fax: (304) 558-3797

une: (304) 558-7890

PURSUANT TO ARTICLE 11, CHAPTER 21 OF THE CODE OF WEST VIRGINIA, THE WEST VIRGINIA CONTRACTOR LICENSING ACT,
Stovers Landsanning & front
(Name & Address of Company)
- 3753 Winfield Rd.
- Wenfield, WV 25213
IS HEREBY ORDERED TO IMMEDIATELY CEASE ALL CONTRACTING ACTIVITIES IN WES VIRGINIA UNTIL THE PERSON OR FIRM CITED IN THIS ORDER ACQUIRES A VALID WES VIRGINIA CONTRACTOR LICENSE.
TIME: 1:50 P.M. COUNTY: Jackson
TIME: 1:50 P.M.
JOBSITE LOCATION: advanced auto Parts, Ravensurod WV
ORDER ISSUED TO: Laybrum Swyll (Company Representative & Position)
The above named contractor is hereby notified a hearing will be conducted by the West Virginia Contractor Licensing Board:
(Date & Location)
The contractor named in this order shall have the right to appear before the West Virginia Contractor Licensing Board to contest the imposition of a monetary penalty for engaging in contracting business in the State without a valid license.
Multy B. Leary SHELBY B. LEARY COMMISSIONER CLABOR
SHELBY B. LEARY/COMMISSIONER C/ LABOR
SIGNATURE AND TITLE OF ISSUING OFFICE IT 3/13/96 DATE
ORDER RECEIVED BY: CLAY 6 PM STOVEN (Print Name) Gection 13, Article 11, Chapter 21:
Section 13, Article 11, Chapter 21:
(a) Upon determination that a person is engaged in contracting this upon the second se

License Number:	Money Order #		Pate Received:
WV025445	Check # 40	00	Bv 8 g at a
LIC	ENSE CLASSIFICATI	ON(S) Tested Categor	ries
Electrical Contracto			
General Building Co General Engineerin Heating, Ventilating Multi-Family Contra Piping Contractor Plumbing Contracto Residential Contrac Specialty (see Teste	g Contractor & Cooling ctor)	
		·.	
	TESTED SPECIALTY	CLASSIFICATIONS	
(1) Drywall Contrac (2) Excavating Con (3) Landscaping Co (4) Masonry Contra (5) Remodeling & F (6) Residential Aspl (7) Residential Con	tractor ntractor ctor epair Contractor nalt Contractor	(8) Residential P (9) Residential S (10) Roofing Cont (11) Steel Erection (12) Low Voltage S (13) Manufactured (14) Other (Untest	iding Contractor ractor n Systems
The f	ollowing classifications take	e only the Business & Law 1	Test Test
OTHER SP	ECIALTY CLASSIFIC	ATIONS (Untested Ca	itegories)
			are genies)

PRINT LIC: STATE OF WEST VIRGINIA DL00002 FEE CODE: DEPARTMENT OF LABOR - CONTRACTOR UPDATE/DELETE DL#D709

LICENSE NO.: WV025445 ELECTRICAL ONLY: LATE FEE: N

BUSINESS NAME: STOVERS LANDSCAPING AND EXCAVATION

DBA: STOVERS LANDSCAPING AND EXCAVATION

MAIL ADDRESS: 3753 WINFIELD RD

CITY: WINFIEDL COUNTY: 40 PUTNAM

ZIP: 25213 PHONE: (304) 586 4232 STATE: WV

PHYS ADDRESS: 3753 WINFIELD RD

CITY: WINFIEDL STATE: WV ZIP: 25213

Ι

WV EMPLOYEES: 0 BUS BEGAN: 07 / 01 / 1995 TYPE: I

FRANCHISE TAX: 236292967001 FEIN: 236292967

UNEMP. COMP: NA WORKERS COMP: NA

BOND REQUIRED: N BOND EXECUTED: / /

0.00 BOND AMOUNT:

CLASS:

CATEGORY: 003

ISSUE DATE: 04 / 23 / 1996 ORIG LIC DATE: 04 / 23 / 1996 STATUS: A
ACTIVE DATE: / / STATUS DESC: V INACTIVE DATE: / /

RENEWAL DATE: 04 / 23 / 1996 CHECK : 404 GRANDF CLAUS: N

COMMENT: Y LICENSE HOLDER: STOVER CLAYBURN

DL00010 DL#D709 PAGE: 01

CONTRACTOR LICENSE UPDATED

LICENSE NO.: WV025445

U/D COMMENT DESCRIPTION

INDEX # 037235

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WEST VIRGINIA DIVISION OF LABOR

319 Building 3, Capitol Complex Charleston, West Virginia 25305

Phone: (304) 558-7890

Fax: (304) 558-3797

Change Colonia	1195
PURSUANT TO ARTICLE 11, CHAPTER 21 OF THE CODE OF WEST VIRGINIA CONTRACTOR LICENSING ACT,	IGINIA, THE WEST
Shell ConsT	
(Name & Address of Company)	
P.O. Box 5276	
AKRON Ohie 44333	,
IS HEREBY ORDERED TO IMMEDIATELY CEASE ALL CONTRACTING AC VIRGINIA UNTIL THE PERSON OR FIRM CITED IN THIS ORDER ACQUIRIVIRGINIA CONTRACTOR LICENSE.	TIVITIES IN WEST ES A VALID WEST
DATE ORDER ISSUED: 5-9-95 COUNTY: 0/1/6	
TIME: 12:50 P.M.	
JOBSITE LOCATION: Why PARK. Wheeling W.U	
ORDER ISSUED TO: RUSSell BAKein Supen (Company Representative & Position)	
The above named contractor is hereby notified a hearing will be conducted by Contractor Licensing Board: Will By WOT IFIEN	the West Virginia
(Date & Location)	
The contractor named in this order shall have the right to appear before the Westor Licensing Board to contest the imposition of a monetary penalty for engage business in the State without a valid license.	st Virginia Contrac- ging in contracting
Mulby B. LEARY COMMISSIONER (LABOR	
SIGNATURE AND TITLE OF ISSUING OFFICER ORDER RECEIVED BY:	5-9-95 DATE
Section 13, Article 11, Chapter 21:	Int Name)
(a) Upon determination that a person is engaged in contracting business in the state without a unit of the	lignature

License Number:	Q_0	258	Date Received: DECEIVE	
	Amount \$7 U		Ву	
	ENSE CLASSIFICAT	ION(S) Tested Categor	ries	
Business & Law (Reference of Seneral Building Congeneral Engineering Heating, Ventilating Multi-Family Contractor Plumbing Contractor Residential Contractor Specialty (see Tester	entractor g Contractor & Cooling ctor r			
	TESTED SPECIALT	Y CLASSIFICATIONS		
(1) Drywall Contrac (2) Excavating Con (3) Landscaping Co (4) Masonry Contra (5) Remodeling & F (6) Residential Aspl (7) Residential Con	ractor ntractor ctor epair Contractor nalt Contractor	(8) Residential P (9) Residential S (10) Roofing Cont (11) Steel Erection (12) Low Voltage (13) Manufactured (14) Other (Untest	riding Contractor ractor n Systems	
The following classifications take only the Business & Law Test				
OTHER SPECIALTY CLASSIFICATIONS (Untested Categories)				
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surfaces for pl	ig grounde	- 999		
		1		

PRINT LIC:

STATE OF WEST VIRGINIA FEE CODE: DEPARTMENT OF LABOR - CONTRACTOR UPDATE/DELETE

DL00002 DL#D709

LICENSE NO.: WV025510 ELECTRICAL ONLY: LATE FEE: N

BUSINESS NAME: SHELL CONSTRUCTION & DESIGN INC

DBA: SHELL CONSTRUCTION & DESIGN INC

MAIL ADDRESS: PO BOX 5276

CITY: AKRON COUNTY:

ZIP: 44334 STATE: OH PHONE: (330) 836 5101

PHYS ADDRESS: PO BOX 5276

CITY: AKRON STATE: OH ZIP: 44334

Ι

WV EMPLOYEES: 0 BUS BEGAN: 05 / 09 / 1996 TYPE: C

FRANCHISE TAX: 341734552001 FEIN: 341734552

UNEMP. COMP: OH WORKERS COMP: OH

BOND REQUIRED: Y BOND EXECUTED: 05 / 10 / 1996

BOND AMOUNT: 2576.00

CLASS:

CATEGORY: 999

ISSUE DATE: 05 / 09 / 1996 ORIG LIC DATE: 05 / 09 / 1996 STATUS: A INACTIVE DATE: / / REINSTATE DATE: / / STATUS DESC: V RENEWAL DATE: 05 / 09 / 1996 CHECK: 2258 GRANDF CLAUS: N

COMMENT: Y LICENSE HOLDER: BAKER RUSSELL F

DL00010 DL#D709 PAGE: 01

CONTRACTOR LICENSE UPDATED

LICENSE NO.: WV025510

U/D

COMMENT DESCRIPTION

999 INSTALL RESILIENT RUBBER SURFACES FOR PLAY GROUNDS

INDEX # 035500

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F3/F15 = RENEWAL

F12 = PAGE FORWARD F12 = DELETE PAUSE = CONTR UPD

WEST VIRGINIA DIVISION OF LABOR

319 Building 3, Capitol Complex Charleston, West Virginia 25305

002288

58-7890

Fax: (304) 558-3797

IT TO ARTICLE 11, CHAPTER 21 OF THE CODE OF WEST VIRGINIA, THE WEST A CONTRACTOR LICENSING ACT, (Name & Address of Company) 706 HOOVER AUN NATIONAL IV CA 9/950 IS HEREBY ORDERED TO IMMEDIATELY CEASE ALL CONTRACTING ACTIVITIES IN WEST VIRGINIA UNTIL THE PERSON OR FIRM CITED IN THIS ORDER ACQUIRES A VALID WEST VIRGINIA CONTRACTOR LICENSE. DATE ORDER ISSUED: 2.29-96 COUNTY: TAY/OF JOBSITE LOCATION: THE SECTION PROPERTY OF THE ORDER ISSUED TO: CALLERY HARJO (Company Representative & Position) The above named contractor is hereby notified a hearing will be conducted by the West Virginia Contractor Licensing Board: The contractor named in this order shall have the right to appear before the West Virginia Contractor Licensing Board to contest the imposition of a monetary penalty for engaging in contracting business in the State without a valid license. SHELBY B, LEARY COMMISSIONER (LABOR SIGNATURE AND TITLE OF ISSUING OFFICER Ç., ORDER RECEIVED BY: Section 13, Article 11, Chapter 21:

(a) Upon determination that a person is endeded in contracting business in the state without a valid license, the board or commissioner shall

License Number:	Money Order #	782 00	Date Received: DECEIVE MARK 6 8 1991 By
LICE	NSE CLASSIFICATI	ON(S) Tested Cate	egories
Electrical Contractor General Building Co General Engineering Heating, Ventilating Multi-Family Contractor Piping Contractor Plumbing Contracto Residential Contrac	ntractor g Contractor & Cooling ctor		
٦	ESTED SPECIALT	Y CLASSIFICATIO	NS
(6) Residential As	ntractor Contractor Factor Repair Contractor phalt Contractor ncrete Contractor	(10) Roofing (11) Steel Ere (12) Low Volt (13) Manufac (14) Sprinkle	ection
Th	e following classifications ta	ke only the Business & Law	/ Test
OTHER SPI	CIALTY CLASSIFI	CATIONS (Unteste	d Categories)
			-
	# P.		

PRINT LIC: STATE OF WEST VIRGINIA DL00002 FEE CODE: DEPARTMENT OF LABOR - CONTRACTOR UPDATE/DELETE DL#D709

LICENSE NO.: WV025234 ELECTRICAL ONLY: LATE FEE: N

BUSINESS NAME: C & W DIVING SERVICES INC

DBA: C & W DIVING SERVICES INC

MAIL ADDRESS: PO BOX 2433

CITY: NATIONAL CITY COUNTY:

ZIP: 91951 STATE: CA PHONE: (619) 474 2700

PHYS ADDRESS: 1706 HOOVER AVENUE

STATE: CA ZIP: 91951 CITY: NATIONAL CITY

WV EMPLOYEES: 4 BUS BEGAN: 10 / 15 / 1994 TYPE: C

FRANCHISE TAX: 953388637001 FEIN: 953388637

UNEMP. COMP: NA WORKERS COMP: NA

BOND REQUIRED: Y BOND EXECUTED: 10 / 15 / 1994

BOND AMOUNT: 11500.00

С CLASS:

CATEGORY:

ISSUE DATE: 03 / 08 / 1996 ORIG LIC DATE: 03 / 08 / 1996 STATUS: A CTIVE DATE: / / REINSTATE DATE: / / STATUS DESC: V ISSUE DATE: US / US / TREINSTATE
INACTIVE DATE: / / REINSTATE
CHECK:

GRANDF CLAUS: N

COMMENT: Y LICENSE HOLDER: WEST FREDERICK W

DL00010 DL#D709 PAGE: 01

CONTRACTOR LICENSE UPDATED

LICENSE NO.: WV025234

U/D COMMENT DESCRIPTION

INDEX # 036697

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F12 = PAGE FORWARD F12 = DELETE PAUSE = CONTR UPD

WEST VIRGINIA DIVISION OF LABOR

319 Building 3, Capitol Complex Charleston, West Virginia 25305 002321

, 558-7890

~ 19480Kg; Pro-

Fax: (304) 558-3797

CEASE AND DESIST ORDER

JUANT TO ARTICLE 11, CHAPTER 21 OF THE CODE OF WEST VIRGINIA, THE WEST GINIA CONTRACTOR LICENSING ACT,
Sanders Bros. INC. (Name & Address of Company)
(Name & Address of Company)
P θ B θ Y P θ
G9FFNey, S.C. 29342
IS HEREBY ORDERED TO IMMEDIATELY CEASE ALL CONTRACTING ACTIVITIES IN WEST VIRGINIA UNTIL THE PERSON OR FIRM CITED IN THIS ORDER ACQUIRES A VALID WEST VIRGINIA CONTRACTOR LICENSE.
DATE ORDER ISSUED: 3-18-96 COUNTY: Braxton TIME: 3:04 P.M. JOBSITE LOCATION: Hegters, WV
TIME: 3:04 P.M.
JOBSITE LOCATION: Hegters, WV
ORDER ISSUED TO: Spencer Adsit Site Manager (Company Representative & Position)
NOTICE OF HEARING
The above named contractor is hereby notified a hearing will be conducted by the West Virginia Contractor Licensing Board:
To Be Notified (Date & Location)
(Date & Location)
The contractor named in this order shall have the right to appear before the West Virginia Contractor Licensing Board to contest the imposition of a monetary penalty for engaging in contracting business in the State without a valid license.
S. Leary
SHELBY B. LEARY/COMMISSIONER (/ LABOR
SHELBY B. LEARY/COMMISSIONER (LABOR) Sammy Boggy Compliance, Shelly II 3-/6-94 SIGNATURE AND TITLE OF ISSUING OFFICER DATE
OPPOSED DESCRIPTION SCHOOL A LO L
ORDER RECEIVED BY: 17E/12er HOSIT (Print Name)
ORDER RECEIVED BY: SIZILER Adsit (Print Name) Section 13, Article 11, Chapter 21: Signature
On those determination that are a second or and

License Number:	Money Order #		Date Received:
WV025277	Check # 1423	α Ι	
LI	CENSE CLASSIFICAT	TION(S) Tested Categor	ies
Electrical Contract General Building General Engineer Heating, Ventilatin Multi-Family Contractor Piping Contractor Plumbing Contract Residential Contract	Contractor ring Contractor ng & Cooling tractor ctor		
	TESTED SPECIAL	TY CLASSIFICATIONS	
(6) Residential A	Contractor Contractor		Siding Contractor tractor on
TI	he following classifications	take only the Business & Law	Test
OTHER SPECIALTY CLASSIFICATIONS (Untested Categories)			

PRINT LIC: STATE OF WEST VIRGINIA DL00002 FEE CODE: DEPARTMENT OF LABOR - CONTRACTOR UPDATE/DELETE DL#D709

LICENSE NO.: WV025277 ELECTRICAL ONLY: LATE FEE: N

BUSINESS NAME: SBI CORP

DBA: SANDERS BROS INC

MAIL ADDRESS: PO BOX 188

CITY: GAFFNEY COUNTY:

ZIP: 29342 STATE: SC PHONE: (864) 489 1144

PHYS ADDRESS: 1709 OLD GA HWY

CITY: GAFFNEY STATE: SC ZIP: 29342

WV EMPLOYEES: 0 BUS BEGAN: 03 / 08 / 1996 TYPE: C

FRANCHISE TAX: 570521391001 FEIN: 570521391

WORKERS COMP: SC UNEMP. COMP: SC

BOND REQUIRED: Y BOND EXECUTED: 03 / 13 / 1996

BOND AMOUNT: 750000.00 CLASS: B C D F

CATEGORY:

ISSUE DATE: 03 / 21 / 1996 ORIG LIC DATE: 03 / 21 / 1996 STATUS: A INACTIVE DATE: / / REINSTATE DATE: / / STATUS DESC: V RENEWAL DATE: 03 / 21 / 1996 CHECK: 142329 GRANDF CLAUS: N

COMMENT: Y LICENSE HOLDER: PENN JAMES R

DL00010 DL#D709 PAGE: 01

CONTRACTOR LICENSE UPDATED

LICENSE NO.: WV025277

U/D

COMMENT DESCRIPTION

INDEX # 036936

ADD(A):

F7/F19 = PAGE BACKWARD CTRL = ADD/UPD/COMMENTF3/F15 = RENEWALF12

= PAGE FORWARD F12 = DELETEPAUSE = CONTR UPD



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WEST VIRGINIA DIVISION OF LABOR

319 Building 3, Capitol Complex Charleston, West Virginia 25305

002241

Fax: (304) 558-3797

Phone: (304) 558-7890

PURSUANT TO ARTICLE 11, CHAPTER 21 OF TH VIRGINIA CONTRACTOR LICENSING ACT,	E CODE OF WEST VIRGINIA, THE WES
Robert Milbee (Name & Address of	
(Name & Address of	Company
Day	
Tornudo, WV 25202	
IS HEREBY ORDERED TO IMMEDIATELY CEASE A VIRGINIA UNTIL THE PERSON OR FIRM CITED IN VIRGINIA CONTRACTOR LICENSE.	ALL CONTRACTOR
DATE ORDER ISSUED: FEB6-96	_COUNTY:Kanawha
TIME: 10:45 a.m.	
JOBSITE LOCATION: 312 99+4 St.	
Mornet, WV	_253/5
ORDER ISSUED TO: Robert Milber (Company R	
(Company R	epresentative & Position)
The above named contractor is hereby notified a hear Contractor Licensing Board: (Date & Location	ing will be conducted by the West Virginia
The contractor named in this order shall have the right tor Licensing Board to contest the imposition of a more	
This at a valid notinge.	
- Thelby B. X	Pearly DNER CO LABOR
SHELBY B. LEARY&COMMISSION	ONER (LABOR
SHELBY B. LEARY COMMISSION TO SUNATURE AND TITLE OF ISSUING CO	FER-6-96 DATE
ORDER R	(Print Name) Relation Signature
Section 13, Article 11, Chapter 21:	Beleve Tille
(a) Upon determination that a	Signature

(a) Upon determination that a person is engaged in professing birships in the start and entained to be the best of

License Number:	Check #	2/7373447	Date Received: DECEIVE N 5 10 1 3 100 E
LIC	ENSE CLASSIFICAT	ION(S) Tested Categor	ries
Business & Law (F Electrical Contractor General Building Contractor Heating, Ventilating Multi-Family Contractor Plumbing Contractor Residential Contractor	equired for all contractors) or ontractor ng Contractor g & Cooling actor		
	TESTED SPECIALT	Y CLASSIFICATIONS	
(1) Drywall Contra (2) Excavating Contra (3) Landscaping Contra (4) Masonry Contra (5) Remodeling & (6) Residential Asp (7) Residential Contra	ntractor contractor actor Repair Contractor chalt Contractor	(8) Residential P (9) Residential S (10) Roofing Cont (11) Steel Erection (12) Low Voltage (13) Manufactured (14) Other (Untest	iding Contractor ractor
The	following classifications tak	ke only the Business & Law 7	Гest
OTHER S	PECIALTY CLASSIFIC	CATIONS (Untested Ca	ategories)

PRINT LIC: STATE OF WEST VIRGINIA DL00002 FEE CODE: DEPARTMENT OF LABOR - CONTRACTOR UPDATE/DELETE DL#D709

LICENSE NO.: WV025248 ELECTRICAL ONLY: LATE FEE: N

BUSINESS NAME: MILBEE CONSTRUCTION DBA: MILBEE CONSTRUCTION

MAIL ADDRESS: PO BOX 1

CITY: TORNADO COUNTY: 20 KANAWHA

ZIP: 25202 STATE: WV PHONE: (304) 727 9682

PHYS ADDRESS: PO BOX 1

CITY: TORNADO STATE: WV ZIP: 25202

Н

TYPE: I WV EMPLOYEES: 0 BUS BEGAN: 02 / 07 / 1996

FRANCHISE TAX: 236925932001 FEIN: 236925932

WORKERS COMP: NA UNEMP. COMP: NA

BOND REQUIRED: N BOND EXECUTED: / /

0.00 BOND AMOUNT:

CLASS: CATEGORY:

ISSUE DATE: 03 / 13 / 1996 ORIG LIC DATE: 03 / 13 / 1996 STATUS: A INACTIVE DATE: / / REINSTATE DATE: / / STATUS DESC: V RENEWAL DATE: 03 / 13 / 1996 CHECK: MO15217373447 GRANDF CLAUS: N

COMMENT: Y LICENSE HOLDER: MILBEE ROBERT A

DL00010 DL#D709 PAGE: 01

CONTRACTOR LICENSE UPDATED

LICENSE NO.: WV025248

U/D COMMENT DESCRIPTION

INDEX # 036929

ADD(A):

F7/F19 = PAGE BACKWARD CTRL = ADD/UPD/COMMENT F3/F15 = RENEWALF12 = PAGE FORWARD F12 = DELETE PAUSE = CONTR UPD